

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 17-0469.01 Kip Kolkmeier x4510 & Jennifer Berman x3286 **HOUSE BILL 17-1076**

HOUSE SPONSORSHIP

Arndt,

SENATE SPONSORSHIP

Coram and Fenberg,

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

Agriculture, Natural Resources, & Energy

A BILL FOR AN ACT

101 **CONCERNING RULE-MAKING BY THE STATE ENGINEER REGARDING**
102 **PERMITS FOR THE USE OF WATER ARTIFICIALLY RECHARGED**
103 **INTO NONTRIBUTARY GROUNDWATER AQUIFERS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Currently, the state engineer must promulgate rules for the permitting and use of waters artificially recharged into 4 named aquifers. The bill adds the requirement that the state engineer also promulgate rules for the permitting and use of waters artificially recharged into nontributary groundwater aquifers. The rules must be promulgated on or

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
2nd Reading Unamended
March 14, 2017

HOUSE
3rd Reading Unamended
February 6, 2017

HOUSE
2nd Reading Unamended
February 3, 2017

before July 1, 2018.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 37-90-137, **amend**
3 (9)(d) as follows:

4 **37-90-137. Permits to construct wells outside designated**
5 **basins - fees - permit no groundwater right - evidence - time**
6 **limitation - well permits - rules.** (9) (d) On or before July 1, 1995, the
7 state engineer shall promulgate reasonable rules ~~which shall~~ THAT apply
8 to the permitting and use of ~~waters~~ WATER artificially recharged into the
9 Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers. ON OR
10 BEFORE JULY 1, 2018, THE STATE ENGINEER SHALL PROMULGATE RULES
11 THAT APPLY TO THE PERMITTING AND USE OF WATER ARTIFICIALLY
12 RECHARGED INTO A NONTRIBUTARY GROUNDWATER AQUIFER. The rules
13 ~~shall~~ PROMULGATED PURSUANT TO THIS SUBSECTION (9)(d) MUST
14 effectuate the maximum utilization of ~~these~~ aquifers through the
15 conjunctive use of surface and groundwater resources.

16 **SECTION 2. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly (August
19 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
20 referendum petition is filed pursuant to section 1 (3) of article V of the
21 state constitution against this act or an item, section, or part of this act
22 within such period, then the act, item, section, or part will not take effect
23 unless approved by the people at the general election to be held in
24 November 2018 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.